REMARKS

Prior to this amendment, Claims 1-10 were pending in this application. It is gratefully acknowledged that in the Final Office Action, the Examiner objected to Claim 10 as being dependent on a rejected base claim, but would allow Claim 10 if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Examiner rejected Claims 1 and 3-7 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,648,967 to *Schulz* in view of U.S. Patent No. 5,629,948 to *Hagiwara et al.* (hereinafter *Hagiwara*). The Examiner rejected Claims 2, 8 and 9 under 35 U.S.C. §103(a) as being unpatentable over *Schulz* in view of *Hagiwara*, and further in view of U.S. Patent No. 6,308,294 to *Ghosh et al.* (hereinafter *Ghosh*).

Please cancel Claim 3 without prejudice. Please amend Claims 1 and 4 as set forth herein. No new matter has been added. Accordingly, Claims 1-2 and 4-10 are currently pending.

Regarding the §103(a) rejection of Claims 1 and 3-7, Applicants respectfully traverse. As stated above, Claim 3 has been cancelled, and the recitations therein have been included in Claim 1. It is respectfully asserted that *Schulz* does not disclose sub-blocks having a different quality of service (QoS), as recited in Claim 1. The Examiner's rejection does not even mention this claim recitation. *Hagiwara* fails to cure this deficiency in *Schulz*. Moreover, *Schulz* fails to disclose any QCTCs as claimed in Claim 1, and the Examiner cites text in *Schulz* that allegedly teaches the recitations of Claim 3, now cancelled and included in Claim 1. However, it is respectfully asserted that there is no recitation of QCTCs in the text cited by the Examiner, nor anywhere else in *Schulz* for that matter. *Hagiwara* fails to cure this deficiency in *Schulz*, as well. Furthermore, the Examiner has provided no teaching of the use of QCTCs in the rejection, nor any statement as to why the use of QCTCs would have been obvious in the combination of the rejection, which we do not believe it would have been. Absent any teaching or suggestion of the use of QCTCs, and without any statement of obviousness, there simply can be no *prima facie* case of obviousness in the rejection of Claims 3-4, with Claim 3 now being recited in Claim 1. For at least the foregoing, Applicants

respectfully submit that the §103(a) rejection of Claims 1 and 4-7 should be withdrawn. Withdrawal of the same is respectfully requested.

Regarding the §103(a) rejection of Claims 2, 8 and 9, Applicants respectfully traverse for at least the reasons stated above with respect to the rejection of Claims 1 and 3-7, and further, since *Ghosh* fails to cure the stated deficiencies in *Schulz* and *Hagiwara*. Accordingly, withdrawal of the same is respectfully requested.

Regarding the rejection of Claims 3-6, it is respectfully submitted that the "frequency hopping method", cited by the Examiner, does not disclose or even fairly suggest that which is presently claimed, namely, if at least one sub-block is retransmitted after the sub-blocks are transmitted a predetermined number of times, the code of the retransmission-requested sub-block is changed. This claim recitation is not found in the art cited by the Examiner.

For purposes of assisting the Examiner in a better understanding of the present claims, the following statements are provided consistent with the specification.

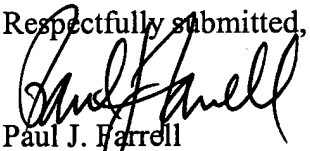
- As disclosed on page 10, lines 6-11 of the specification, turbo codes provide performance close to the "Shannon Channel Capacity Limit" according to the code rates if iteration decoding is fully implemented.
- As disclosed on page 24, lines 19-24 of the specification, one packet to be transmitted is defined as a "Physical Layer Packet" (PLP), and a plurality of sub-packets included in one PLP are called "Transport Units" (TUs). Each TU is variable in length.
- As disclosed on page 25, lines 8-13 of the specification, "Slot" is defined as the minimum transmission unit of the physical transmission channels transmitting one PLP, the number of a slot for transmitting one PLP is variable from 1 to any number.

- As disclosed on page 38, lines 11-15, the present invention provides a multiple data service, and since the transmitted data is multiple data, a multiple request signal is received.

Independent Claim 1 is believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2 and 4-10, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2 and 4-10 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1, 2 and 4-10, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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